

[No. 46]

YEAS—61

Anderson
Bartlett
Bible
Bridges
Burdick
Butler
Byrd, Va.
Cannon
Carroll
Church
Clark
Eastland
Ellender
Engle
Ervin
Fulbright
Gore
Gruening
Hartke
Hayden
Hickey

Hill
Holland
Humphrey
Jackson
Javits
Johnston
Jordan
Kefauver
Kerr
Long, Mo.
Long, Hawaii
Long, La.
Magnuson
McCarthy
McClellan
McNamara
Metcalf
Monroney
Morse
Moss
Muskie

Neuberger
Fell
Prouty
Proxmire
Robertson
Russell
Smathers
Smith, Mass.
Sparkman
Stennis
Symington
Talmadge
Thurmond
Wiley
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—25

Allott
Beall
Bennett
Boggs
Bush
Capehart
Case, N.J.
Case, S. Dak.
Curtis

Dodd
Douglas
Dworschak
Fong
Goldwater
Hickenlooper
Hruska
Keating
Lausche

Miller
Mundt
Pastore
Saltonstall
Schoeppel
Scott
Smith, Maine

NOT VOTING—14

Aiken
Blakley
Byrd, W. Va.
Carlson
Chavez

Cooper
Cotton
Dirksen
Hart
Kuchel

Mansfield
McGee
Morton
Randolph

So the motion to lay on the table the amendment of Mr. Bush was agreed to.

Mr. MORSE, Mr. President, I move that the Senate reconsider the vote by which the motion to lay on the table was agreed to.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table the motion to reconsider was agreed to.

Mr. PROUTY. Mr. President, I offer my amendment designated "5-17-61-B" and ask that it be read.

Mr. MORSE. Mr. President, may we have order, so that the Senate may listen attentively to the amendment offered by the Senator from Vermont? He is proposing an amendment which I shall agree to take to conference. I think it is a good amendment. However, the Senate ought to understand the purpose of the amendment, so that it cannot be said it was adopted when the Senate's attention was not specifically directed to it.

Mr. PROUTY. I am grateful to the Senator from Oregon for his comment. I assure the Senate that I shall not speak at length. I think a vote can be reached tonight. I do not ask for the yeas and nays.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 7, it is proposed to strike out "and".

On page 2, line 8, before the period it is proposed to insert a comma and the following: "and in paying other costs of providing public elementary and secondary education".

On page 11, line 23, it is proposed to strike out "shall" and insert in lieu thereof "may".

On page 13, line 22, it is proposed to strike out "and".

On page 13, line 23, before the semicolon it is proposed to insert "and (C)

other costs of providing public elementary and secondary education".

On page 13, line 25, it is proposed to strike out "either of".

On page 14, line 11, it is proposed to strike out "and".

On page 14, line 16, before the period it is proposed to insert "and (C) the amounts to be used for other costs of providing public elementary and secondary education will be allocated so that preference is given to local education agencies which, in the judgment of the State education agency, have the greatest need for assistance in paying such costs."

On page 22, between lines 10 and 11, it is proposed to insert the following:

"(12) The term 'other costs of providing public elementary and secondary education' means any expenditure for public elementary or secondary school education for which revenues derived from State or local sources may be expended in such State."

Mr. BUSH. Mr. President, will the Senator from Vermont yield, so that I may propound an inquiry to the distinguished majority leader?

Mr. PROUTY. I yield for that purpose.

Mr. BUSH. I should like to ask the majority leader what the program will be for tomorrow.

Mr. MANSFIELD. It is my understanding that the amendment now pending will be accepted by the Committee on Labor and Public Welfare.

Mr. BUTLER. Mr. President, I was about to ask the Senator to yield. I wish to ask for the yeas and nays on the Prouty amendment. It is an important, far-reaching amendment. I think the Senate should express its will on the amendment by a yeas-and-nays vote.

The PRESIDING OFFICER. Does the Senator from Vermont desire to have his amendments considered en bloc?

Mr. BUTLER. Mr. President, will the Senator from Vermont yield, so that I may ask for the yeas and nays?

The PRESIDING OFFICER. First, without objection, the amendments of the Senator from Vermont will be considered en bloc.

The yeas and nays have been requested. Is there a sufficient second?

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, in view of the latest development, which was not anticipated by the leadership, can the Senator from Vermont state when he expects the Senate might vote on the pending amendment.

Mr. PROUTY. I had not intended to speak at length on the amendment. However, now I shall probably speak at a little greater length than if this development had not occurred. I did not think the amendment was particularly controversial.

Mr. BUSH. Mr. President, does the Senator from Maryland wish to indicate how long he might wish to discuss the amendment?

Mr. BUTLER. I do not wish to discuss it at all.

Does the amendment include books for the children?

Mr. PROUTY. Yes.

Mr. BUTLER. And funds for custodial and administrative personnel?

Mr. PROUTY. Operating personnel.

Mr. BUTLER. Mr. President, I cannot conceive of an amendment with greater sweep to get the Federal Government into the middle of every public school in the country. I do not believe the Senate should vote upon such an amendment without being on record.

Mr. MANSFIELD. Mr. President, as a feeler, would the Senator agree to a limitation of 1 hour's debate on the amendment?

Mr. BUTLER. So far as I am concerned, I do not wish to speak against the amendment.

Mr. MANSFIELD. Would the Senator from Vermont be agreeable to limiting debate to 1 hour beginning at the conclusion of the morning hour tomorrow?

Mr. PROUTY. I should like to limit the time to 1 hour and a half.

Mr. BUSH. The time to be divided?

Mr. MORSE. The time to be divided equally?

Mr. BRIDGES. Mr. President, I have some remarks to make about Castro and bulldozers. If the intention is to have the agreement become effective this evening, I shall object.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of morning business tomorrow, 1 hour and 30 minutes be allocated to the consideration of the Prouty amendment, half the time to be in charge of the Senator from Vermont, and half the time to be in charge of the Senator from Illinois.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, reduced to writing, is as follows:

Ordered, That further debate on the so-called Prouty amendment on school maintenance or administrative expenditures, numbered 5-17-61-B, be limited to one and one-half hours, after the conclusion of morning business on Tuesday, May 23, 1961, to be equally divided between the Senator from Vermont [Mr. PROUTY], and the Senator from Illinois [Mr. DIRKSEN.]

Mr. HRUSKA. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. HRUSKA. Is this a part of the "operation nibble," whereby the limitation of debate is constantly to be applied to each individual amendment, but a request will not be made for a general unanimous-consent agreement such as was discussed a few days ago? Is this procedure a continuation of the pattern of making separate unanimous-consent requests, and having a continuation of the same general course of conduct?

Mr. MANSFIELD. I was under the impression that the amendment offered by the Senator from Vermont would be accepted with a minimum of debate, and that another amendment would then be offered this evening for consideration and would be pending for tomorrow's business. It was only because in this particular instance a situation arose which I thought made it advisable to do so that I propounded a unanimous-con-

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sent request to the Senate on this amendment.

Mr. PROUTY. Mr. President, I yield the floor.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it adjourn until 10 a.m. tomorrow.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

CASTRO'S OFFER TO TRADE PRISONERS FOR TRACTORS

Mr. BRIDGES. Mr. President, Fidel Castro's offer to trade the God-given breath and souls of 1,200 free Cuba prisoners for 500 tractors has twofold significance for all people, everywhere.

First, it is an opportunity to save human life. The mysterious ways of providence have worked through the twisted mind of this comic-strip Communist, to preserve the gift of life for 1,200 brave men, and at the same time to give America a chance to demonstrate, once more, that it values human life above any material thing. The tractors or bulldozers are essential materials which could, at some future time, be used against us or other members of the Organization of American States.

Second, the incident shines brighter than a neon light before the eyes of the world, illuminating the character of this Communist dictator. Now the world sees, once and for all, that he embodies the traditions of history's best known criminal leaders—Hitler, Stalin, Mussolini, Attila the Hun, and the pirates of the Barbary Coast, all of whom murdered for fun and profit, and ransomed when it suited their fancy.

Two men for one machine. This is the newest form of blackmail and ransom contrived by the Communist stooge Castro. Bulldozers and tractors can be used to make airfields and trenches. Would it not be far more humanitarian to exchange food and medical supplies?

Humanitarian principles are involved; and, of course, all of us want freedom for these men.

However, not since the days of Hitler, when the infamous Eichmann offered to trade on an even basis—one Jew for one truck, has the civilized world been confronted with such heinous barter.

Ten hostages have been given 1 week to raise the money for tractors; at the end of that time they must return to Castro's prisons with the assurance of a successful trade, or else suffer who knows what punishment for themselves and the hostages for whom they are dealing.

Mr. President, how complacent must we get before we do something about this cancer which is festering at our doorstep? How much more humiliation and contempt must we suffer from this Communist dictator?

Human lives and freedom are at stake; but must we supinely give in to any and every demand made upon us by this Com-

munist dictator who rules through terror and threat?

Where are those who have criticized our allies and have accused them of exploiting their people; where are those who are willing to give aid to Communist satellites, on the theory that we can influence them? Why do not they protest to the high heavens against this blackmail for the ransom of those who were fighting for freedom and liberty in their own homeland of Cuba? They seem strangely silent.

There was a time when the United States was respected—when freedom meant standing firm.

We are far down the road; and it is time to take stock of ourselves and our principles, if we are to fulfill our destiny as a free land.

All of us can well recall from the history books we studied in school that there was a time when the United States, in its earliest days, 1797 is the exact date, proclaimed "millions for defense, but not one cent for tribute."

That was said by Charles Pinckney, our minister to the French Republic.

The day when that heroic phrase must once again be invoked if we are to stay free may come sooner than we think.

I think the American people and the Senate should be alerted to what is going on. I never expected to see the day when a dictator 90 miles from our shores would offer to trade human lives for tractors or bulldozers. We have reached a new low.

Mr. CAPEHART. Mr. President, I invite the attention of Senators, of our own Government, of our President, and of all the people of our country, particularly in connection with what I consider to be the misguided efforts of the so-called Tractor Committee, to what is known as the Logan Act, which was passed on January 30, 1799. In my opinion, the so-called Tractor Committee is violating that act, which reads as follows:

PRIVATE CORRESPONDENCE WITH FOREIGN GOVERNMENTS

Any citizen of the United States, wherever he may be, who, without authority of the United States, directly or indirectly commences or carries on any correspondence or intercourse with any foreign government or any officer or agent thereof, with intent to influence the measures or conduct of any foreign government or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the United States, shall be fined not more than \$5,000 or imprisoned not more than 3 years, or both.

That act is known as the Logan Act. It was passed on January 30, 1799.

Today, we are confronted with a situation in which Castro, the dictator of Cuba, is attempting to blackmail the people of the United States and their Government into giving him 500 tractors in exchange for 1,200 prisoners. However, they are not American citizens. The fact is that they are Cuban citizens; they are the blood and flesh of Cuba. They are not nationals of the United States or citizens of the United States. Instead, they are citizens of Cuba.

Who would have thought there would come a time when a little dictator who had captured 1,200 of his own people, 1,200 Cubans, would say to us, "If you give me 500 tractors, I will release these 1,200 people."

Trujillo, the head of the Dominican Republic, is holding approximately the same number of Cuban prisoners; and in the last few days he offered to exchange prisoners with Castro. Trujillo said, "I will return every Cuban I am holding if you will release the 1,200 you are holding, whom you are trying to trade with the United States for 500 tractors."

But of course Castro said he would not do that, and said he was not interested in doing it. He is not interested in his own people, Mr. President; he is only interested in blackmailing us and humiliating us in the eyes of the world, in order to obtain 500 tractors, because then he can use them against us. For example, he would be able to use them for the purpose of building airfields and various other installations, including missile bases. He could also use them for agricultural purposes.

In other words, the 500 tractors could be used by him to help him make communism work in Cuba.

Mr. President, are we or are we not opposed to communism? Are we in favor of helping Castro, or are we opposed to helping him?

There would be no question if the 1,200 were Americans. However, they are not Americans.

Of course, some persons will say that our Government is not engaged in a dispute with Castro. However, today Castro said the 500 tractors would be in partial payment for the war damage the United States of America inflicted upon Cuba, as a result of the invasion.

Ten days before the invasion, the President of the United States made a statement to the American people and the world, in which he said we would not participate in an invasion or interfere with the internal affairs of that country; that we were having no part in it. Why he made the statement, I do not know. He said we were taking no part in it.

I do not see how this country can hold up its head to the rest of the world if we are to yield to blackmail. When, oh, when, will we stop being blackmailed by Castro?

To make things worse, I understand the Internal Revenue Service has ruled, or is about to rule, that any contribution made toward buying the tractors will be tax deductible; that it is a charitable contribution. How ridiculous can we be? Why do we do it in one instance, and not do it for Americans who are having trouble paying their taxes, and who need deductions for tax purposes? What are we thinking about? Is the President of the United States giving this committee authority to act for the Government of the United States, or is it acting on its own? Those are questions the answers to which I think the Foreign Relations Committee should ascertain. I suggest to the chairman

of the Foreign Relations Committee that tomorrow we open an executive session to ascertain whether or not the President has commissioned and authorized the committee to act on behalf of the U.S. Government.

To me, it is a silly and ridiculous thing. I cannot conceive of this great Nation of ours being permitted to be blackmailed in this way. We are proposing to help the dictator and help the Communists to further harass the United States.

We are now prohibiting the exportation of certain materials to Cuba, among them materials with which Cuba can make war. Yet we are not talking about giving Cuba outright, as a government, 500 tractors, or bulldozers, as they are called.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. CASE of South Dakota. When the Senator says we are talking about it, is he suggesting that the United States as a government or in any official capacity is considering responding to this blackmail?

Mr. CAPEHART. Evidently. The Internal Revenue Service has said—

Mr. CASE of South Dakota. Has it? The Senator from South Dakota has not heard that the Internal Revenue Service has made any such ruling.

Mr. CAPEHART. The report was on the news ticker tape today. That is all I know.

Mr. CASE of South Dakota. So far as the junior Senator from South Dakota is concerned, he subscribes wholeheartedly to the sentiments expressed by the Senator from New Hampshire. I think this is a proposal which could be blackmail. It certainly would be if the United States officially, in any way, responded or took any notice of the proposal.

Mr. CAPEHART. Let me read what appeared on the ticker tape from Washington:

Contributions to buy tractors to be exchanged for the freedom of Cuban rebels now prisoners of the Castro Government will be deductible from Federal income taxes, the newly organized Tractors for Freedom Committee said today.

In a brief press release the committee said it had been "advised that the U.S. Treasury Department will make a necessary ruling that contributions are tax exempt."

Mr. CASE of South Dakota. If the Internal Revenue Service has officially said that, I, for one, think the ruling should be challenged. I do not think the Internal Revenue Service ought to make that kind of ruling. Personally, I would not support it by vote or in any other way. I think there is some question as to the applicability of the Logan Act. I personally believe the Logan Act is a sound policy and good law, and it has been on the statute books a long time. It reads:

Any citizen of the United States, wherever he may be, who, without authority of the United States, directly or indirectly commences or carries on any correspondence or intercourse with any foreign government or any officer or agent thereof * * * in rela-

tion to any disputes or controversies with the United States * * *

The Senator from South Dakota is not a lawyer and he hesitates to pose as a legal authority, but he thinks we cannot overlook the clause which says "in relation to any disputes or controversies with the United States."

Mr. CAPEHART. Can there be any question in the mind of anyone that this is a dispute between Castro and the U.S. Government?

Mr. CASE of South Dakota. There is a question in the mind of the Senator from South Dakota as to whether or not there is any controversy between Cuba and the United States which relates to the conduct of that particular invasion.

Mr. CAPEHART. If there is any question, the ruling of the Internal Revenue Service should have completely taken the question out of the Senator's mind.

Mr. CASE of South Dakota. The Senator from South Dakota has said very explicitly that is not a proper ruling by the Internal Revenue Service and that he personally would be opposed to it. I was approached this afternoon with the suggestion—

Mr. CAPEHART. Let me—

Mr. CASE of South Dakota. Just a minute.

Mr. CAPEHART. I have the floor.

Mr. CASE of South Dakota. I know the Senator has the floor, but I think I should have the courtesy of completing the statement on the Internal Revenue Service. Earlier this morning I was approached with the information that there would be a movement, by unanimous consent, to pass a resolution which would take this approach by the Internal Revenue Service. I said, if no one else objects, I will, because I do not believe, either by unanimous consent or otherwise, that the United States should officially, in any way, shape, or form, recognize this act of piracy, an act which I think is exactly like the acts of the Barbary pirates, to hold so many people for ransom. I would not recognize that kind of demand for ransom in any way, shape, or form, the Internal Revenue Service ruling to the contrary notwithstanding. Personally, I regard it as an act of piracy and an attempt to commit the United States. I do not think the United States should be committed in any way. I think the Logan Act is applicable.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. BUTLER. Would it not be inevitable that the United States would get into the transaction eventually, because the tractors could not be shipped without a license to export them?

Mr. CAPEHART. I was about to go into that question. At the present moment goods with which to make war cannot be shipped to Cuba. In order to be able to ship the tractors, the committee would have to get permission from the U.S. Government.

Mr. BUTLER. That would certainly make it a controversy between the two Governments.

Mr. CAPEHART. I think so. But who will stand up on the floor and read into the debate a technicality to the effect that this dispute is not between the U.S. Government and Castro? If Senators are to stand on a technicality like that—

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. CAPEHART. Let me finish.

Mr. CASE of South Dakota. Surely.

Mr. CAPEHART. I am not going to do it. The Senator can do so if he wishes. I am not going to stand on that technicality, because there is no truth in it. This dispute is between the United States and Castro, and Castro is blackmailing the U.S. people and the U.S. Government. I repeat, the proposal is not to release 1,200 U.S. citizens, but to release 1,200 of his own people, and to get 500 tractors or bulldozers with which to build missile bases, airports, submarine bases, and I presume other such facilities.

He turned down Trujillo, who was willing to return a Cuban prisoner he was holding for each of the prisoners Castro held. He does not wish to do that. He would like to humiliate, embarrass, and blackmail the United States. He would like to hold the United States up to the scorn of the world. He would like to show that the world should not respect the United States because it is not worth respecting and because it has no courage. That is my opinion of what he would like to do.

I think this committee is a misguided committee, in trying to do what it would like to do.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. CAPEHART. I will yield to the Senator in a moment.

If it is right that we do this, then the U.S. Government ought to do it, and every American ought to pay taxes for the privilege of doing it. I say it is wrong.

I yield to the Senator from South Dakota.

Mr. MUNDT. I think the Senator from Indiana should be commended, along with the Senator from New Hampshire, for raising some very serious questions about a very fundamental concept of American foreign policy in an hour of great international peril.

With respect to the Logan Act, I remember a great deal of discussion about that Act during the many years I served as a member of the House Committee on Foreign Affairs. I must agree with the Senator from Indiana, insofar as his colloquy with my colleague is concerned. I think there is a controversy between Cuba and the United States specifically about the issue of whether there was an American invasion or a Cuban invasion and we are certainly in dispute with Cuba over many of the Castro policies.

There is an "out" however which the committee might find in the Logan Act, for the act permits private citizens to negotiate with foreign countries provided they have secured the advance permission of the Government to do so. I do not know whether the group seeking

to raise blackmail bounty to pay Castro has done so. I hope not.

Mr. CAPEHART. Will the Senator yield to me?

Mr. MUNDT. I yield.

Mr. CAPEHART. Even if the money to pay for the 500 tractors is available, someone will have to negotiate for the release of the 1,200 prisoners. Who will do that? That will be done by the officials of the State Department, because individual citizens cannot do it. Individual citizens would have no way of screening the prisoners, and would have no organization for the purpose.

Mr. MUNDT. I would hope that would be the case. Speaking for myself, though I think my sentiment is shared by many, I have not been too happy about the way the Department of State is being operated these days, or about the international situation. However, I would not be so harsh as to condemn the State Department to the degree of saying that we must now turn everything over to volunteer Peace Corps members from the outside, so that they can negotiate American foreign affairs in areas where they must assume our State Department has failed. I have more confidence in the President and in the Secretary of State than to say that they have failed so completely and hopelessly that volunteers must be recruited from the outside to negotiate with other governments concerning the basic aspects of our foreign policy.

Are we to become such abject appeasers as to pay blackmail to get out of our difficulties?

If this group has secured from the Department of State or from the White House a mandate to proceed with the authority of the Federal Government—I hope it has not—then it will not be in violation of the Logan Act. If that has not been done, it seems to me to be a clear violation of the Logan Act and a dangerous precedent unless we stop it firmly and without delay. The Logan Act has served our country well for more than a century and a half. It is sound legislation. It has averted many dangerous developments in the past and if courageously enforced it can protect our country now. Fixing foreign policy must not become the plaything for enthusiastic amateurs.

There is a second point which disturbs me even more. I submit it is a matter of clear logic that for every 1 of the 1,000 or more unfortunate "Freedom Fighters" whose release we might obtain in trade for a tractor by such a device, we shall help to enslave 100 people presently in Cuba who are still able to hope for freedom, because we would be strengthening the power of the Cuban dictator to condemn them to a slave economy.

Mr. CAPEHART. If this condition continues, the lives of thousands of American boys may be lost, because Castro is building up and Russia is building up so that some day they can make war against the United States. Cuba will have missile bases and submarine bases for one purpose only, to kill American boys and to make Amer-

ican boys prisoners. Then who will trade tractors for those boys?

Mr. MUNDT. Success for dictators is a pretty heady and intoxicating wine, especially for comic opera dictators like Castro, who is now thumbing his nose at his great neighbor, the United States.

If we, in trying to provide happiness for people in Cuba, trade a few pieces of farm machinery and equipment for the freedom of some 1,000 nationals of his own country, we shall help to condemn into greater tyranny and longer slavery at least 100—perhaps 1,000 or even 10,000—Cubans for every one we liberate, because we shall be strengthening the hand of the dictator to do his filthy job more effectively by providing him new equipment with which to perpetuate his power.

Mr. CAPEHART. How many hundreds of thousands of political prisoners does Castro have at the moment?

Mr. MUNDT. Nobody knows—but the number is vast.

Mr. CAPEHART. They are in jails in Cuba. Does Castro wish to trade something for those people, too?

Mr. MUNDT. Probably so if we make the first false step. There is a third thing wrong with the proposal, as I see it. What a horrible example the United States, acting through its new volunteer "Department of State" headed by Mrs. Roosevelt and some of her associates, who apparently feel the present Department of State has failed so miserably they must volunteer their services, will be setting. If the United States, acting through this new volunteer "Department of State" sets such an example in Cuba, in what a wonderful bargaining position we shall be placing every little dictator in the world. All any dictator would need to do would be to enslave some of his own people, or some of our people, and then offer to trade them for locomotives, for a few pieces of silver, or for a few shiploads of cotton. We shall be issuing an open invitation to every dictator in the world to make us pay blackmail, because once we start down this sorry course there will be no return, and the tribute we shall be asked to pay will become more and more excessive and humiliating.

Finally, I point out that if by some remote possibility the Bureau of Internal Revenue should say this blackmail money is tax exempt, it would place the United States squarely in the business of paying such blackmail with the taxpayers' funds, because the money will then in fact be the taxpayers' money. The money is being collected from corporations and individuals, most of whom are at least in the 50-percent-income-tax brackets, so to the extent of more than 50 percent the money to be paid to buy our way out of trouble in Cuba would be the money of the U.S. taxpayers. I submit, Mr. President, this would place our country officially in the business of paying blackmail to communism with the people's money.

I submit that, bad as conditions are, we have not reached that sorry state in America. Speaking as a Republican, I have more confidence than that in the President of the United States. I have

more confidence than that in the Department of State. I think this well-meaning committee of volunteers should fold up their tents and silently steal away. Perhaps I should say they should fold down their umbrellas of appeasement, close up their publicity offices, and stand up with other Americans to meet this Communist challenge in an American manner and by American methods.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, I appreciate the courtesy of the Senator in yielding to me again.

I trust that nothing which has been said will dim the fact that I have said, from the outset, that I regard this as blackmail, as an act of piracy or attempted piracy.

I have no sympathy whatever with the idea of responding in any way, shape, or form to associate the United States, in any official way, with such an action.

I raised the question with regard to the clause in the Logan Act. If the facts should demonstrate that the Cuban operation was a U.S. operation and the United States was officially in it, that is one thing. I would hang my head in shame if that were true.

Earlier in the day I said I was flabbergasted by the way in which the military reputation of the United States was being laid on the line, or gambled, by people who were not in the military department, by people who had no authority to commit the United States.

The reason I do not like to recognize such a situation is that I, for one, do not wish to admit that the U.S. military establishment could take the humiliation which I think anybody should take if he planned or carried out the operation, which was such a fiasco.

I was flabbergasted by this situation the other day. I do not believe the Joint Chiefs of Staff would accept responsibility for the way that operation was conducted. I would hang my head in shame if I thought the Joint Chiefs of Staff of the United States directed that military operation, because of its failure. I personally think a handful of marines could have planned it and handled it better than that operation was conducted. I do not wish to accept the implication that it was an operation of the United States.

That is the reason I directed attention to the clause in the Logan Act. So far as the proposal itself is concerned, I regard it as an insult. I would not have dignified it. I would not dignify it today by any act of any bureau or any agency of the United States. I think it is an act of blackmail. I do not think it ought to be regarded as a proper approach or a proper proposal to the United States as such, and I would not recognize it by responding in any way which would recognize it as anything that the United States itself will officially act upon.

Further with respect to the whole situation, I think we confront a very difficult situation today, but I do not be-

lieve we can help by making interpretations of laws on the floor of the Senate. Such action would be for the courts. If the Logan Act has been violated, I hope that those who are responsible for its violation will face the consequences of the violation. However, I hope that when the entire story is written, a shameful page will not be written in the history of the United States to the effect that we responded officially in any way to this proposal for blackmail.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. First, I congratulate the Senator from New Hampshire [Mr. BRIDGES], for his vigorous and accurate condemnation of the unthinkable proposal that has apparently received some currency and acceptance by people in the United States. It is the most fantastic story I have ever heard since the story of the days of the Barbary pirates, who defied the United States, and we had to settle that situation on a basis of principle.

I congratulate also the Senator from Indiana [Mr. CAPEHART] for raising the issue. I am not concerned about the Logan Act. I have read the Logan Act. I admit there is some room for argument as to whether, on a question of pure technicality, the Logan Act may or may not apply. But I do not get as far as the Logan Act. I stop with the moral revulsion that is involved in the effrontery of this bearded psychopath in Cuba in making a proposal of this kind that he hoped would have the slightest degree of acceptance or approval by anyone in the United States. I am perfectly aware of the humanitarian aspects of this question.

But if Castro can get bulldozers down there in Cuba and get his airfields scraped away and his military installations established, I suppose the message would come to us, "Pay us \$10 million a day or we will turn the rockets loose on you." By the same line of reasoning, some of the self-appointed leaders of the international policy of the United States, such as those who have just sprung up to head this organization, would probably be around trying to raise public money to pay off Mr. Castro every day, because he had used the bulldozers to lay out airfields from which he could launch rockets, and we would either have to pay off or he would pull the trigger.

If the situation were not so tragic, if it were not so unthinkable that this kind of blackmail would be considered for one instant, I would say it was the most comic of comic opera themes. We are all sympathetic with the humanitarian aspects of people who are captured. But I certainly agree with the statement of the Senator from Indiana [Mr. CAPEHART] who, I believe, said, that every little dictator or puppet in the world could capture an American seaman, and then say "Pay us \$500,000 per seaman or we will keep them in our dungeons over here."

What has happened to the vigorous principle of independence that has moved this country throughout its history? If we succumb to blackmail of

this kind, we would abandon our responsibilities of world leadership on the basis of principle and the things for which America stands.

I was not so concerned about the original news story of this incident because I thought surely no one would take it seriously. I have since become appalled.

I do not know whether the Treasury Department has ruled that contributions to a private fund without organization are tax exempt or not. I have not looked up the law and I am not prepared to argue the law on that point, except to say that it is inconceivable to me that contributions made under those circumstances could possibly be tax deductible under any kind of theory.

I hope and trust that the present administration, or any other administration, will see this question in the light of exactly what is presented. It is difficult enough in these days of tension, I think, for any of us and all of us to resist the temptation to point out some of the failures that have contributed to the lessening of American prestige in the world today. I wish to support this administration or any other administration on foreign policy when it has been decided, and I do not want to be a party, if I can help it, to anything that might be considered carping or partisan political criticism.

But I say that it is entirely possible that a time will come when, in the very vital interests of American security, some of these issues will have to be talked about with more exactness and vigor and even with more controversy than they have been talked about up to this time. A few more mistakes, a few more catastrophes, a few more failures of ordinary judgement will probably precipitate that time soon.

I earnestly hope that the American people have not lost their perspective, and I earnestly hope that this latest, unthinkable proposal will not be taken seriously.

I again congratulate the Senator from New Hampshire [Mr. BRIDGES]. He stood on the floor of the Senate at the time of the ill-advised invitation to Mr. Castro to come to this country. I know that he, as well as I, refused to attend any of the luncheons or meetings that were held for Mr. Castro, because we thought he was a bearded subversive at that time. I still think so. I did not make the speech which the Senator from New Hampshire so eloquently and prophetically made at that time, but I have my convictions.

I congratulate the Senator from Indiana [Mr. CAPEHART] for raising this issue. I shall not quarrel with him about the Logan Act, because in my reasoning I do not reach that point. Principle stops even before the application of the Logan Act to this question.

Mr. CAPEHART. I thank the able Senator from Iowa for his straight thinking on this subject.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. FULBRIGHT. I had an opportunity to look at the wire service clipping from which the Senator spoke. According to that report, the Treasury

has not yet received such an application. Mr. Caplin said he has not yet received an application for tax exemption for this purpose. I agree with the Senators. I can see no authority for the proposed action. I certainly would not approve of it if I should have any opportunity to approve. I think it would be very bad policy. I agree that our Government should not in any way lend itself to this kind of blackmailing operation.

I believe it is stated in the news report that Mrs. Roosevelt, Mr. Milton Eisenhower, Mr. Walter Reuther, and one or two other persons, have taken it upon themselves to form this committee. Of course thousands of committees are established for raising money for all kinds of purposes. Some of them are good and some of them are indifferent. I suppose it is not in violation of the law. However, I do not believe that the Federal Government or the Senate ought to approve the paying of blackmail for any such purpose. I hope that the clipping is accurate, and that the proposal has not been approved by the Treasury Department, and that it will not be.

Mr. CAPEHART. I hope it has not been approved. The dispatch states that Commissioner Mortimer M. Caplin conferred with top officials about making the ruling. There is no question that they are considering it.

Mr. FULBRIGHT. I believe the Department had not yet received the application, according to that clipping.

Mr. CAPEHART. It says it is being considering and discussed. The press report states:

Contributions to buy tractors to be exchanged for the freedom of Cuban rebels now prisoners of the Castro government will be deductible from Federal income tax, the newly organized Tractors for Freedom Committee said today.

Mr. Reuther said that.

Mr. FULBRIGHT. Mr. Reuther does not have any authority to make any such ruling, fortunately. The clipping states, I believe, that Mr. Caplin has not received the application as yet.

Mr. CAPEHART. I shall read further.

The Internal Revenue Service declined to give immediate confirmation that donations would be deductible from taxable income.

A spokesman said that such a ruling could not be issued until the Service had in hand an application for tax exemption from the Tractors for Freedom Committee.

He said this had been explained to committee officials and that the Service expected to receive such an application before the end of the day.

Commissioner Mortimer M. Caplin conferred with top officials about making the ruling.

They are almost up to that point, according to the dispatch. At least they are considering it. Mr. Reuther said they were going to make it.

Mr. FULBRIGHT. It is not my understanding that the—

Mr. CAPEHART. The Senator is correct. I do not believe it is official as yet. I hope it will not be. I hope that the colloquy and the speeches today will stop it from ever being made.

Mr. FULBRIGHT. I hope so. I do not believe the Internal Revenue Service

has absolute discretion to give a tax exemption to anyone it pleases. There are certain requirements. I cannot imagine how this committee would qualify under any requirement that I am familiar with.

Mr. MUNDT. Mr. President, will the Senator yield further?

Mr. CAPEHART. I yield.

Mr. MUNDT. I am glad that we have had this exchange between the Senator from Arkansas and the Senator from Indiana, because I believe it is quite true that the official application had not been received at the time the report came to us. Perhaps by now it has been received. I certainly hope that the Department of the Treasury and the Internal Revenue Service will give some heed to the sentiment expressed here this afternoon. It is not surprising, however, that Mr. Reuther and his committee should be making proclamations of this kind, to the effect that they were expecting to receive a tax exemption. Having assumed the authority of the State Department one day, it is quite understandable that the committee should seek to speak for the Department of the Treasury the next day, and that these new volunteers should be acting as though they were operating both Departments.

It is just another reason why we ought to stay with constitutional government and with our properly elected officials, and not have either the State Department or the Treasury Department operated by volunteers who happen to bob up, no matter what wonderful intentions they have or what splendid pedigrees or backgrounds they may possess.

Mr. CAPEHART. If the Internal Revenue Service rules that such contributions are tax deductible it will certainly place the U.S. Government 100 percent in this transaction, because it will be taking the taxes that would ordinarily have been paid by people to the American Government and passing them on to Mr. Castro. Let us assume that \$50 million is raised. The tax which would be exempted would probably be \$20,000 or \$25,000. Then the Federal Government certainly would be up to its neck under the Logan Act, because the Government would become a party to the operation by permitting it to be considered as a tax-deductible contribution.

Mr. MUNDT. Mr. President, will the Senator yield further?

Mr. CAPEHART. I yield.

Mr. MUNDT. I was impressed by something the Senator from Iowa [Mr. HICKENLOOPER] said, and I would like to emphasize it briefly. I have been among members of the Republican Party at policy meetings who have urged a policy of prudence and a reservation from criticism of various foreign policy decisions and international repercussions which have confronted this new administration.

It is not only right and proper to give the new administration an opportunity to become adjusted and get started, but it is also an act of patriotism for Republicans to pursue that kind of policy at a time when the country is confronted with great international problems. I

have felt the new administration was trying its best and that criticism should be held to a minimum under these trying circumstances.

As one who has done his fair share of speaking to groups all over the country since January 20, I have myself refrained meticulously from entering into criticism of errors or mistakes of judgment or discussing the repercussions which have been flowing from weaknesses in our foreign policy.

I was not happy about the fiasco in Cuba. I was very much disappointed at the decision to admit Communists from Laos to the Geneva talks. In private correspondence I predicted that this would be the end of freedom in Laos. We can have no effective conference on Laos with the rebel Communists at the conference table. This is becoming more apparent every day.

I have also been terribly disillusioned by the utterances some of the President's appointees in the State Department, and in diplomatic posts, with regard to their attitude toward recognition of Red China. I believe it is deplorable that there should be people in positions in which the President has placed them who hold that appeasement position. However, I have refrained from saying anything even about that situation serious as it is. I have continued to hope for the best.

However, if abject appeasement is to be the policy of this Government, and if this Government is to sit idly by while volunteer groups usurp the authority of the State Department and the White House, and start their own negotiations with a Communist dictator, then certainly I believe Republican Senators as well as independent Democrats who still have freedom of thought and freedom of expression will be subject to legitimate criticism, if they do not protest now against this kind of misadventure and against this type of dangerous nonsense unless the Kennedy administration acts promptly and firmly to put it to an end.

The time has come when the foreign policy of our Government might well become a major subject of Senate debate and national discussion, if, in fact—and it appears to be entirely possible—this kind of appeasement program has either won silent acceptance by the administration or its active cooperation, as certainly must be the case if it is even remotely considered that tax exemption will be given without respect to contributions made to the committee. I hope that I can be reassured by the President and the State Department, and that all Americans can be reassured on this point, and that the matter will be cleared up by a statement issued without delay and with crystal clarity.

I shall continue my policy of not unnecessarily criticizing the State Department in connection with these difficult problems, but if all we are to see is failure compounded upon failure, followed by appeasement of communism and a cringing recognition of Red China, there is nothing more important to discuss on the Senate floor, with no holds barred, than what should be the attitude of this

country in a world, in which communism today is flapping its wings, making bold remarks and boasting about its invincibility and its inevitability. The time has come when America needs leadership—and not from volunteer committees seeking to take over because they may feel that others have failed.

Mr. CAPEHART. I believe it is my responsibility as a Senator and as a member of the Committee on Foreign Relations to take part in shaping foreign policy. I believe the American people expect me to do so. My oath of office compels me to do so. My responsibility as a Senator requires that I do so. Otherwise, what am I here for? If I am only to keep still, without any thoughts or ideas or suggestions, I am certainly not living up to my oath of office, and I ought not to be here. I feel the same way about every other Senator.

EXECUTIVE SESSION

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of executive business for the consideration of new reports on the Executive Calendar, beginning with Calendar No. 248.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees. (For nominations this day received, see the end of Senate proceedings.)

The PRESIDING OFFICER. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar, beginning with new reports.

U.S. MARSHALS

The Legislative Clerk proceeded to read sundry nominations of U.S. marshals.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations of U.S. marshals are considered and agreed to en bloc.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the President be immediately notified.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

Mr. HUMPHREY. Mr. President, of course, these nominations were cleared by the minority and were unanimously reported by the committee.

LEGISLATIVE SESSION

Mr. HUMPHREY. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

CASTRO, CUBANS, AND U.S.
FOREIGN POLICY

Mr. MORSE. Mr. President, before the Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], and the Senator from South Dakota [Mr. MUNDT] leave the floor, I wish to make a brief statement concerning the issue which they have raised.

As chairman of the Subcommittee on Latin American Affairs of the Committee on Foreign Relations, of which the Senator from Indiana [Mr. CAPEHART] is one of the very valuable members, I feel that I owe it to my duties as a member of that committee not to sit in silence while this very important issue is discussed before the Senate. It is an exceedingly complex one.

Interestingly enough, yesterday afternoon, when I was in Cleveland, appearing on a television program called "Open Circuit," a question bearing on this subject matter was called in. I discussed it briefly. I shall get a transcript of those comments and place it in the Record tomorrow, so that the Senate will at least know what comment I made when the question was first submitted to me publicly. When the transcript appears in the Record, it will show that the following was my position:

I said I sincerely hoped that Mrs. Roosevelt and the members of her committee had discussed this subject thoroughly with the Department of State before they proceeded to make plans for the program. I said I knew of no one in the country who undoubtedly was more appreciative of the fact that private citizens have a great obligation to follow a course of action toward foreign governments which in no way possibly could embarrass the State Department or the U.S. Government. I took it for granted that the committee of which Mrs. Roosevelt, Dr. Milton Eisenhower, and Mr. Walter Reuther, and apparently others, are members had discussed the question with the State Department. I do not know whether they have. However, the State Department has an obligation in this matter too. The State Department owes it to the American people to make a statement of policy on this matter.

We are dealing with a very difficult matter of great human values. It appeals to our sense of right and wrong; our desire to come to the assistance of our fellow men who may find themselves in a position of being executed if this attempt at blackmail is not successful. This was brought out by the Senator from New Hampshire [Mr. BRIDGES] in the speech he made earlier, with much of which I agree. With as much as I object to, I shall discuss in a moment.

There is a parallel between the heinous proposal of Castro and the proposal of Eichman, who undoubtedly was carrying out the orders of Hitler, to trade Jews for trucks, at the time of the shocking persecutions of the Jews, as a part of the Nazi program.

As the Senator from New Hampshire and the Senator from Indiana well know, I took the position very early in the Castro administration that we were deal-

ing with a madman—and I used that word in its literal sense. I think we are dealing with a psychiatric case. But this is not the first madman who has for a time on the stage of history determined the temporary destiny of a large population.

I point out in passing that we are not, of course, in a position as a government to negotiate directly with the Castro regime. There has been some talk in the debate in the last 45 minutes that what is proposed is an interference on the part of the Roosevelt committee with the right of our Government to negotiate with the Castro administration. However, we cannot carry on direct negotiations with the Castro administration; we must do that through the Swiss Government. It is not a very satisfactory substitute for direct negotiation. We can differ sincerely and honestly, but I believe it was a great mistake for the U.S. Government to break diplomatic relations with Castro. We had more to lose than did Cuba. I thought the Cuban people had more to lose than anyone else when the American flag was hauled down in Havana and removed, because that flag had been a symbol of hope for the people of Cuba.

There was an allegation at the time that we had never attempted any satisfactory negotiations to determine whether Castro would limit the United States to a personnel of 11 in the Embassy. There was a great dispute as to whether that number was to include gardeners and janitors or only the diplomatic personnel. I thought that question should have been determined.

In my judgment, the act of breaking diplomatic relations with Cuba was an impulsive act on the part of the preceding administration. I said, at the time, that it was a great mistake. I thought the American flag should be kept flying in Cuba as a symbol of hope for the Cuban people and as proof that we would not walk out on them.

Furthermore, I believed our Embassy in Havana should have been maintained as a listening post. We should also have kept ourselves in a position where diplomatic negotiations and discussions, such as now present themselves, could have been carried on. It was a great mistake additionally to discontinue diplomatic relations because we cannot satisfactorily conduct business through a foreign power, no matter how competent the substitute is—and the Swiss are very competent. To do so is bound to create great difficulties.

It was a mistake in my judgment to break diplomatic relations and thus leave a time bomb for the Kennedy administration. That is exactly what the Eisenhower administration did by its breaking of diplomatic relations. There is some internal evidence, at least, that the situation which has developed in connection with the so-called invasion by Cuban exiles with American logistic support and financial support was, in fact, a planned program and one which had been in progress for many months before the Kennedy administration took office. I simply say to the Senate there is no question about that being true. It

has been brought out in the hearings before the subcommittee of which I am the chairman.

It verifies the fact that the expedition was a part of the Eisenhower plan which had been worked on for many months. It explains in no small measure why the former President does not desire to have the ashes of the Cuban invasion incident raked over. When those ashes are raked over, it is plainly disclosed as a Republican program as well as, now, a Democratic program.

I hold no brief for the Democratic President proceeding with the program. I believe he should have made it very clear that the United States would not proceed with the program. The results have demonstrated how unwise it was.

I have no question in my mind that had there been consultation with the Hill, we would have obtained much evidence and plenty of proof to support the conclusion that the President should have dropped the plan and should not have given it support. That is water over the dam. We are still confronted with the problem and the question is, Where do we go from here?

Before commenting specifically about some wise observations made by the Senator from New Hampshire and the Senator from Indiana, I should state that I do not believe we have taken all the steps we should at least try to take in concert with our friendly associates, the other countries in Latin America. These countries tell us quite informally that they are in our corner, so to speak. We are having much difficulty, however, in getting them into the ring. I say most respectfully, that there appears to be a shocking breakdown of the functions of the Organization of American States, if we will simply reread the charter which created that Organization.

I ask again: Where are our friends in the Organization of American States? This is a troublesome problem, not only for the United States of America, but for each one of them. In fact, in the long run, they are far more endangered than is the United States.

So again I plead with the members of the Organization of American States and with our State Department not to wait until some time in July, when it is contemplated there will be some economic conference, possibly at Montevideo, to implement the alliance of progress. We have an immediate problem of much greater concern and more vital concern to the security of the Western Hemisphere than what is contemplated as the agenda for the Montevideo Conference in July.

I do not think we can delay longer in making a formal approach to this Cuban matter through the Organization of American States; and I hope our State Department and our President will give formal consideration to it, and I hope the American people obtain from this administration some policy statement about it before much more time passes. There is increasing division and confusion among the American people in regard to the Cuban problem—largely, I think, because the American people do not know the facts, not only those in re-

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gard to Cuba, but also those in regard to the Organization of American States.

That is why the other day, in the Latin American Subcommittee, I said I hoped the President would quickly be apprised of the active interest in this matter of the Members of the Senate and also of the fact that we are ready and willing to have him advise us regarding this Cuban matter.

Now we have received the proposal that we pay ransom in order to save the lives of approximately 1,000 prisoners.

The Senator from New Hampshire [Mr. BRIDGES] pointed out that Castro came to the United States at the invitation of a group of newspaper publishers, I believe, or a group of newspaper editors. It can be stated that the members of the Foreign Relations Committee were very much concerned about that matter. At that time, representatives of the State Department consulted with us. I remember a conference we had in a room one floor below this Chamber. We conferred with the Assistant Secretary of State for Latin American Affairs.

That conference was in regard to this matter. He pointed out to us that the newspaper editors had never given his Department even an inkling of warning that they were going to extend that invitation to the head of a foreign state. At that time we were having our troubles with Castro, and at that time our country was shocked by Castro's blood baths. Some time before that, several of us had made speeches on the floor of the Senate in protest against the totalitarian procedures and the techniques used by Castro. I shall always take some satisfaction from the fact that I made the first speech which was made here on the Senate floor in criticism of Castro. It was my opinion that Cuba was having visited upon it the substitution of one form of totalitarianism for another. It seemed to me that I was morally bound to make that speech. As the Senator from Indiana well knows, I made it after there had been some discussion of that matter in our committee. Shortly after that, other members of my subcommittee supported my statement and views. At that time the present President of the United States was a member of that subcommittee; and in that capacity and in his capacity of U.S. Senator from the State of Massachusetts he completely agreed with my position. I recall that fact with great pride.

But in our conference with the Assistant Secretary of State for Latin America, there was raised the question, What do we do now? The newspaper editors had then extended the invitation, and we realize that that was bound to be embarrassing to our Government.

My position was that they were no different from any other group in the country, and I saw no reason why they should be treated any differently. They were guilty not only of bad judgment, but also of definitely seeking to interfere with the foreign policy of our Government, and I thought they were subject to censure and to criticism. It will be recalled that I took it upon myself to criticize them.

When I do such things, I expect to be criticized in turn. Many of them published editorials which did not at all flatter me; but not once was I proved wrong on the merits. Actually, in their editorials they engaged in alibing and in attempts to explain away their lapses of good judgment.

I pointed out that I was not a participant in the extending of entertainment and of hospitality to that madman. The Senator from New Hampshire and the Senator from Indiana [Mr. CAPEHART] pointed out that I did not participate in that course of action. I am proud to state that I refused—and I did it in my capacity as chairman of the Subcommittee on Latin American Countries—to attend the meeting which was held. First of all, I could not attend it because at the meeting there would be a discussion of the Cuban problem with which our committee was concerned, and because at the meeting there would also be a discussion of Castro's course of action in Cuba, with which our committee was likewise concerned. I was not willing to take any action which might be regarded as prejudicial to future action by our subcommittee. Secondly, I did not attend the meeting because otherwise the State Department would be embarrassed, inasmuch as the State Department had not then decided on the policy that it intended to follow. Until our State Department had decided what course to follow officially, it could not avoid being embarrassed by such a meeting.

The State Department decided officially that the meeting would be treated on an unofficial basis. That was a policy based on semantics, for everyone knew Castro was in the United States, and it was clear that any protocol extended to him would be regarded elsewhere in the world as an official reception of Castro by our State Department. And such proved to be the case.

To the everlasting credit of the present chairman of the Senate Foreign Relations Committee, Mr. FULBRIGHT, who, I regret to say, has been called from the floor, and cannot be present at the moment, at least—he, likewise, disapproved that entire procedure. I happen to know that is a fact.

The Cuban delegation which accompanied Castro called the Foreign Relations Committee room, and said that Castro would like to go there, to meet informally and unofficially with the members of the Senate Foreign Relations Committee. With the understanding that the meeting would be unofficial and informal, the Senator from Arkansas [Mr. FULBRIGHT]—although he did not like any bit of the proposal—said that he felt that as chairman of the Foreign Relations Committee he should at least notify the other members of the committee of what Castro wanted. The Senator from Arkansas said that members of the committee who wished to come to the committee meeting, to meet Castro informally and unofficially, could come.

That is what happened; some Senators went, and some Senators not on

the Foreign Relations Committee went. I did not go. I refused to go, because it seemed to me at that time the official position of this Government ought to have been one of making perfectly clear an official protest of the policies and the procedures that Castro was following in Cuba.

In one of my speeches I proposed that we call upon Castro to follow the Geneva Convention in regard to handling prisoners. Is it not interesting that we have another prisoner problem now? I said that morally, if not legally, Castro was bound by the Geneva Convention, because Cuba signed the Geneva Convention. This is the Geneva Convention on the Treatment of War Prisoners.

It is true that Castro had a technical out. His technical out was—and he took it—that these prisoners were captured in connection with his revolt against Batista, and were not prisoners taken in a war with a sovereign power; that the Geneva Convention deals with procedures for handling war prisoners in a war between two sovereign powers, and that this was a civil war, and therefore those procedures did not, technically, apply.

Knowing that Castro might fall back on that technicality, my speech in the Senate pointed out it was all the more reason, morally, why he ought to apply the procedures of the Geneva Convention to his own flesh and blood. After all, those captured in his revolt against Batista were Cubans. They were misguided in their support of Batista, but, as we have seen, they were no more misguided than were those who supported Castro.

I spoke out against Castro at that time, and have been consistent in my position since that time.

Now we come, to the question, Where do we go from here? We cannot separate the activities of the committee, headed by Mrs. Roosevelt, Dr. Eisenhower, and Mr. Reuther, from its effect and influence in relation to American foreign policy; and it is going to be so interpreted around the world. A private committee cannot be established in this country which purports, at least, to speak in regard to a foreign policy problem without many people around the world attributing to that committee the official status of speaking for American foreign policy. It is bound to happen. It is happening, I think, already.

Furthermore, as the Senator from Indiana pointed out in his remarks this afternoon, let us not forget that the prisoners in Cuban jails today are just those exiles who were captured in the ill-fated attempted invasion of April 16. We do not know how many thousands of Cubans the Castro police have rounded up and put in Cuban jails as alleged counter-revolutionaries.

One would have to be very short-sighted to assume that Castro was going to take a different attitude toward the counter-revolutionaries who were in his own country at the time of the ill-fated attempted invasion than he did toward the counter-revolutionaries who attempted to invade the country. He

knows—we all know—that a part of the plan was the hope, the expectation, that the invasion would stir up, within a few days thereafter, at least, a counter-revolutionary movement in his own country. It was part and parcel of the whole plan.

I think the Senator from Indiana and the Senator from New Hampshire are quite right when they say we do not know what kind of chain reaction we shall start with this proposal. Ransomers, extortionists, pirates, do not stop with just one proposed ransom. If a ransom is obtained for this group, then others can be proposed, and there are estimates of prisoners in Cuban jails varying from 50,000 to 100,000. Once we yield to such blackmail, where is the end?

There is no member of the committee, Mrs. Roosevelt, Dr. Eisenhower, Mr. Reuther, or any one associated with it, who has a more disturbed inner feeling or more pangs of heartache about the plight of these Cuban exiles who were captured in the ill-fated invasion than has the Senator from Oregon.

Furthermore, the fact is made more sad because, to no small measure, we were implicated in the episode. In a very real sense, we cannot wash this dirty spot off our hands, any more than could Lady Macbeth, because there is no doubt about the fact that we aided and abetted and supported the unfortunate attempted invasion, about which many of us knew nothing.

But that, too, is water over the dam. The point I want to stress is that this is a matter which involves American foreign policy. I do not care how one tries to word it in order to seem to keep the committee out of interference with American foreign policy. We want to know from our State Department, and soon, its position in regard to this question. It is much more forthright for us to stand up before the world and say, "Approval is given to this as a matter of Government policy," or "Approval is denied"—one way or the other.

Now I come to the Logan Act. I call this matter to the attention of the Senator from South Dakota [Mr. CASE], who has said he is not a lawyer. In my book, he is a pretty good sea lawyer, as we say of one who renders a sound legal judgment, although he may not be a member of the bar. This is more than a technicality. It bears on the main thesis of my comments.

The Senator from South Dakota has pointed out the Logan Act has nothing to do with this matter, for many reasons. The act reads, as was brought out by the distinguished Senator from Indiana [Mr. CAPEHART]:

Any citizen of the United States, wherever he may be, who, without authority of the United States, directly or indirectly commences or carries on any correspondence or intercourse with any foreign government or any officer or agent thereof, with intent to influence the measures or conduct of any foreign government or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the United States, shall be fined not more than \$5,000 or imprisoned not more than 3 years, or both.

This section shall not abridge the right of a citizen to apply, himself or his agent, to any foreign government or the agents thereof for redress of any injury which he may have sustained from such government or any of its agents or subjects.

I agree with the Senator from South Dakota. The committee has in no way violated the Logan Act, for two main legal reasons. First, their program in no way involves carrying on any direct or indirect correspondence or intercourse with any foreign government or any officer or agent thereof. The committee is carrying on its negotiations with the Cuban exiles. The Cuban exiles are in revolt against Castro. The negotiations are with them directly. One cannot, in my judgment, legitimately claim that the exiles are functioning as agents of Castro. Castro has announced to the world what are the terms of his ransom.

In my judgment, what the committee is seeking to do, out of its humanitarian impulses—I share those impulses—is to raise some ransom money in this country to save the lives of the prisoners. The act itself, however, is bound to affect our foreign policy. If our Government wishes to approve of that course of action, it should say so.

We should not engage in any subterfuge. We ought not to engage in any indirection. We ought to stop our pretense. We have a right to ask our Secretary of State—and I now call upon him—to tell the American people what his position is, as Secretary of State, in regard to the course of action which is being followed by the volunteer committee. Once we have that opinion from the Secretary of State, then we shall be in a position to decide what course of action should be followed concerning the attempt of the committee to raise funds.

As it relates to national policy, it is a dangerous thing to countenance in this country voluntary committees which may proceed to follow any course of action which may have repercussions on American foreign policy. In my judgment, that is not a violation of the Logan Act but is an interference with our whole constitutional policy that American foreign policy should be directed by the President of the United States and by the Secretary of State acting as a representative of the President of the United States.

This can be a very bad precedent from the standpoint of American foreign policy procedures.

It is quite proper that my colleagues in the Senate took the course of action they took this afternoon, of calling upon the administration to tell the American people specifically what is its position.

The last point I wish to make in regard to the Logan Act is the point made by the Senator from South Dakota [Mr. CASE], when he said that technically there was no dispute or controversy involved in regard to the United States. That has been removed.

This illustrates again why it was such a great mistake to break diplomatic relations with Cuba. Would that we had an Embassy there. Then there could be direct negotiations with Cuba, at least through diplomatic channels.

I see no basis for a finding that, as a matter of law, there is any dispute or controversy between the United States and the principals with whom Mrs. Roosevelt's Committee is negotiating. They are negotiating with the Cuban exiles.

To show the direct relationship between this and American foreign policy, we must remember that the Cuban exiles could not get back into this country without the approval of this Government. That is a procedural act within the sphere of American foreign policy. The exiles are allowed to come into the country with the full knowledge of the administration, so apparently there is knowledge they are going to negotiate with the Mrs. Roosevelt Committee, which I think makes it perfectly clear that there is a direct tie between what that committee is doing and American foreign policy.

In order to prevent this from being a precedent, in order to make it very clear that the State Department and the administration will assume full constitutional authority and duty in connection with American foreign policy, the administration ought to proceed without delay to tell the American people to what extent, if any, the procedure outlined by Mrs. Roosevelt's Committee has the approval of this administration as a part and parcel of American foreign policy.

I wish to point out, in half a moment, some of the dangers. We are all heart-felt moved by the plight of the exiles who have been captured and are in Cuban prisons. We are all concerned and worried about what the madman may do with them or to them.

We certainly do not wish to lay down a foundation of precedents so that there will spring up in the months ahead one volunteer committee after another which will seek to influence the American people in a quasi-official or semi-official capacity in respect to some particular program connected with American foreign policy.

There are many trouble spots in this world about which we as individual citizens are very much concerned. Volunteer committees may spring up about something in Laos, in Hungary, in the Congo, in South-West Africa, in Angola, in Goa, or in a good many other places in the world, where fellow human beings are being trampled and their lives are being crushed out by the hundreds and thousands month after month by tyrannies, many of them either Communist or Fascist tyrannies.

In my judgment we cannot have a sound foreign policy program in this country if, in those instances in which it may seem to be expedient to do so, we either close our eyes or turn our heads and look in the other direction when volunteer committees set up volunteer programs concerned with some segment or other of American foreign policy.

In closing, I quite agree with the chairman of the Committee on Foreign Relations [Mr. FULBRIGHT] and other Senators who have spoken on the floor of the Senate this afternoon. This procedure has many danger signs written all over it. We must be on guard that we do not

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approve a course of action because we are heartsick about the fact that some 1,000 or 1,200 Cuban exiles are in Cuban prisons and might be murdered by this madman, as he has murdered so many others through his blood baths. I think we should not let our heartache and our understandable sentiment blind us to the fact that there may be thousands upon thousands of lives put in danger by such a course of action, if we yield at this time to this blackmail.

I think that is the first reason why we have a right to say to the administration, "You owe it to the American people to take an official position upon the proposed determination of American foreign policy by a volunteer group."

Second, I think we have a right to say to the administration, "You have a duty to now make clear without any further delay, to the Organization of American States that every Latin American country, including Canada to the north of us, ought to convene quickly through the Organization of American States to determine what our joint program and policy ought to be in relation to this tyranny which has taken over Cuba."

I speak respectfully of Canada when I say it is fine for the Foreign Minister of Canada to suggest that Canada mediate the differences between the United States and Cuba, but it would be better for Canada, in the first instance, to fill its seat in the Organization of American States, to stop being merely an observer in the Organization of American States, and to become a voting member of the Organization of American States. I think if Canada did that, she could exercise much more influence in the development of foreign policy in the Western Hemisphere. It would be better to do this than to offer her good offices to serve as mediator between the United States and Cuba on problems between those two countries.

The important thing is that these are not simply United States-Cuban problems. Each and every one of them is a hemispheric problem.

Each and every one of them involves the rights, interest, and the future of every country in this hemisphere. What I have been pleading for is that we stop unilateral action on the part of the United States in relation to Cuba, recognize that the situation calls for joint action on the part of Canada, the United States, and every other Latin American country to try to work out a program for the settlement of problems that have arisen in this hemisphere as a result of Castro going over to the Communists.

Ah, but some say to me, "If you follow that course of action, Mr. Senator, then are you not going to have to negotiate with Cuba?"

Of course, we could negotiate with Cuba or go to war with Cuba. I know there are those who think we ought to go to war with her. And what a great victory that would be. We could defeat her very quickly, although not without the loss of many thousands of American boys. We could not defeat her without the loss of thousands of lives probably in some of the southern strategic areas of Florida and some of the other South-

ern States. We do not know to what extent such conflict might be the spark that would start a nuclear war. If we have to fight a nuclear war, we will not hesitate to fight it, if we have done everything that we could possibly have done in order to bring mankind to reason without a nuclear war.

We should not follow a course of action that will record that we pulled the trigger. We do have peaceful procedures available to us that we ought to try to use, both through the Organization of American States and through the United Nations.

There are special procedures, both in the Organization of American States and in the United Nations, that at least could be used to seek to get extraordinary meetings of both of those organizations. Have we tried? Are we trying? If not, why not?

This shocking proposal of Castro ought to be the basis for an immediate call upon the part of the United States for an extraordinary session of the General Assembly of the United Nations to focus world opinion on the subject. I do not think that we have started to do the things that we ought to do in order to seek with honor some accommodation by way of a peaceful settlement of this great threat to war in the Western Hemisphere—and it is a growing threat to war in the Western Hemisphere.

One more word about my suggestions with respect to negotiations so that I will not be misunderstood. I am not suggesting that we should offer on a bilateral basis to start negotiations with Cuba, but I do say that we ought to offer to have the Organization of American States start negotiations with Cuba, and if Castro does not want to accept that proposal, offer to have the United Nations start negotiations with Cuba, because whether we like it or not, we cannot wish Cuba off the face of the map. Naturally, either through the Organization of American States or the United Nations, we ought to try to find out if there is any basis for an honorable diplomatic negotiation of procedures for the settlement of the disputes that have arisen between the United States and Cuba.

I offer these thoughts this afternoon because again I wish to say the United States should stop moving away from the Cuban problem in the direction of war and intervention, and start to move into the Cuban problem through the Organization of American States and through the United Nations, so that history will record that we did our level best to try to avoid any resort to military defense and military action in order to protect American lives and American property.

Speaking of American lives, do not forget that we do not know how many hundreds of American citizens are still in Cuba, but they are there. When we are dealing with a mad man who places no more value on life than Castro does, we run always the risk that he would be perfectly willing to go to any extreme in order to vent his perverted emotional makeup on the United States. What would we do if he announced that, "Now

you can ransom—how many hundreds we do not know—of American citizens still in Cuba?"

What would be the reaction of this country to that proposal? Of course, there would be every reason for us then to go to the military defense of those American citizens. That is how delicate I think the situation is.

So I close my comments with the plea once again to my Government. Let the State Department run American foreign policy. Let the State Department make clear to the American people its position in regard to any volunteer committee's program in this country. If we want to make such proposals the official program of the State Department, let us say so. But let us not start a chain of precedents of having American foreign policy, from the standpoint of expediency, turned over to private citizens who can follow a course of action that can possibly embarrass—yes, jeopardize—the welfare of this country, and in the end lead to a much greater loss of human life possibly than would be true if Castro should seek to liquidate the exiles that he captured in this invasion, every one of whom knew that he ran the risk of being liquidated by participating in the invasion.

What I have said during the last 15 or 20 minutes on the floor of the Senate can be subject to a great deal of distortion and misrepresentation, but, as Chairman of the Subcommittee on Latin-American Affairs, I shall never duck my clear responsibility so long as I serve in that capacity.

Mr. President, I yield the floor.

Mr. CASE of South Dakota. Mr. President, the Senator from South Dakota has listened with interest to the remarks of the distinguished Senator from Oregon, the chairman of the Subcommittee on Latin American Affairs of the Committee on Foreign Relations. At this hour I shall not try to comment any further. I will say that I share in his hope that the Secretary of State will make a statement that will clarify the official position of the United States with regard to the proposed blackmail. I also hope that the discussion on the floor of the Senate this afternoon, participated in by several Senators, will make a contribution. I am confident it will make a contribution to answering the question, Where do we go from here?

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, May 22, 1961, he presented to the President of the United States the enrolled joint resolution (S. J. Res. 89) to amend section 217 of the National Housing Act to provide an interim increase in the authorization for insurance of mortgages by the Federal Housing Administration.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MORSE. Mr. President, pursuant to the order previously entered, I move that the Senate adjourn until 10 o'clock a.m. tomorrow.